

**FEDERAL HIGHWAY ADMINISTRATION/
MONTANA DEPARTMENT OF TRANSPORTATION
ROADS AND BRIDGES HISTORIC PRESERVATION PLAN**

I. FORWARD

This Historic Preservation Plan for roads and bridges was developed as a condition of a Programmatic Agreement (PA) between the Federal Highway Administration (FHWA), Advisory Council on Historic Preservation (ACHP), State Historic Preservation Office (SHPO) and the Montana Department of Transportation (MDT). Signed in 1989, the PA was designed to eliminate the time-consuming process of evaluating, assessing and mitigating effects to individual road segments and bridges. Ultimately, the regular Section 106 procedure was determined to be ineffective in addressing the broader theme of transportation history in Montana. The significance of roads and bridges on the local level was well-documented as a result of regular compliance procedures, but the broader historical context for the resources was unknown. The PA is attached as Appendix 1.

The PA was designed to solve the problems engendered in the Section 106 process involving historic roads and bridges. The first component of the agreement stipulated that MDT inventory its resources and place them in a historic context by completing narrative and technical histories of the resources. It also specified that the MDT produce a traveling exhibit and publish newspaper articles about significant roads and bridges in Montana. This portion of the PA was completed in 1993 with the publication of *Roads to Romance: The Origin and Development of the Road and Trail System in Montana* and *Monuments Above the Water: Montana's Historic Highway Bridges, 1862 - 1956*. Once the MDT had determined what it had and what was historically significant, then it was time to develop a management and maintenance program for the resources covered in the PA.

Part B of the PA stipulated the MDT develop an Historic Preservation Plan (HPP or Plan) based on the information acquired from Part A of the Agreement. This document constitutes the Department's compliance with that stipulation of the PA. In the years prior to the formalization of the HPP, however, the Department had already enacted many of provisions specified in the PA--even though this document had not yet been developed. This included the establishment of the Adopt-a-Bridge program (Stipulation B(2)(a-e)). This document constitutes the completion of the MDT's obligations under the PA and its advancement into the management of its historic roads and bridges.

Much of the Plan will be dependent on the cooperation of other agencies and county governments. The MDT has direct jurisdiction over only a portion of the total number of historic roads and bridges in Montana. Slightly more than 60% of the historic bridges are on-system; this does not include the majority of the truss and steel stringer structures. The bulk of the relatively intact segments of historic roadways are under county jurisdiction (many along the existing Interstates) or are privately owned. This HPP is an attempt, therefore, to draw together many concerns about the MDT's commitment to the resources without significantly compromising the mandate of the MDT or the counties.

II. INTRODUCTION

The Roads and Bridges Historic Preservation Plan is divided into seven parts. Parts I and II includes introductory material, while Part III consists of an overview of the resources including a short summary of the historical context for roads and bridges and summaries of common problems associated with the reuse of historic roads and bridges (which is the basis for this document).

Part IV is an inventory of the resources covered by this document. This includes identified historic road segments, the number of bridges inventoried as a result of the PA and also details why the Period of Significance (1888 - 1956) was used to aid in the evaluation of the resources. This section also includes a short description of bridge types and what criteria were used to determine their eligibility for inclusion in the Plan.

Part V consists of the procedures established to manage historic roads and bridges as outlined in the HPP. This section also includes information on how the MDT will seek to minimize impacts to historic roads and bridges as mandated in the National Historic Preservation Act's Section 110 Guidelines. This will include the procedures for consulting with relevant parties during the implementation of the HPP. Some of the Plan necessarily involves other state and federal agencies that administer or own resources included in this Plan.

Part VI consists of the provisions of the Plan and the Department's procedures as outlined in Part V. This section is sub-divided into three parts. The first, is the Roads section; it details how the Department will manage and interpret its historic roads. This section is further divided into several stipulations, each detailing specific activities to be conducted under the Plan. The second section involves the MDT's treatment of historic bridges. Because the resources are structures, this part of the Plan is much more detailed in its consideration. It is sub-divided into three parts, each detailing how some structures will be rehabilitated while others are given-away and/or interpreted. The third section of this part consists of how the MDT will administer both roads and bridges as a single resource (bridges are part of road systems and don't exist independently from roads). This includes the establishment of educational programs designed to present the history of roads and bridges to the public.

Part VI also includes who will be responsible to see that the provisions of the HPP will be carried out by the Department. It includes the production of biennial reports describing the progress of the Plan and provisions for amendments should any one part of it not be effective in preserving historic roads and bridges as intended in the Programmatic Agreement.

Finally, the Plan concludes with the appendices describing various aspects of the HPP. This includes what bridges will be rehabilitated, the agreements for the Adopt-A-Bridge program, National Register of Historic Places Criteria for Eligibility and historic bridges that were determined historically significant as a result of inventories in 1980 and 1986.

III. OVERVIEW

Although the first engineered road was constructed in Montana in 1860 by John Mullan, the majority of roads (except for the Interstates) were the result of construction activities between about 1910 and 1941. Most of the roads now administered by the MDT were on the original Federal-Aid system established after the creation of the Montana Highway Commission in 1913. Although there have been slight alterations of the alignments, the routes remain essentially what they were prior to World War I. Some of these, such as U. S. Highways 10, 91 and 93, follow older routes established by Native Americans prior to the arrival of Euro-Americans in 1805. U. S. Highways 10 and 91 also follow historical trail systems such as the Mullan Road, Bozeman Trail, Utah - Montana Road, and Benton Road. All the Interstate highways follow travel corridors established in Montana's prehistory.

Bridges were a component of those road systems. Unlike the roads, bridges were a more obvious expression of the technological changes sweeping through the United States after the Civil War. The first bridges in Montana were crude timber or timber truss spans that were subject to frequent wash-outs. The arrival of the Northern Pacific Railroad in 1883 allowed easy access to Montana for Midwestern bridge construction companies. Beginning in 1888 with the completion of the Missouri River Bridge at Fort Benton, Montana experienced a boom in the construction of steel truss bridges as the counties sought to improve their infrastructures and, thus, attract new settlers to their districts.

The Montana Highway Commission was created in 1913 to administer the first of the Federal-aid highway bills. It resulted in the creation of the Federal Aid Primary (FAP) road system, the introduction of federal standards for road construction and, two years later in 1915, the standardization of bridge designs. Although truss bridges dominated the landscape until 1915, thereafter, the Commission experimented and standardized designs for steel girder and stringer, timber and reinforced concrete bridges. The counties, however, were still responsible for the construction of their roads and bridges--the Commission provided only technical expertise up until 1926. That year, the Commission took full financial responsibility for the construction of roads and bridges in Montana. This marked a turning point in the state's relationship with the federal government. The increased responsibilities placed on the Commission required a substantial change in the federal match program that had hitherto proved unable to directly fund major construction projects.

The stock market crash in 1929 and the ensuing economic depression a year later, again forced the state to reassess its priorities for its transportation system. In an attempt to put people back to work, the Montana Legislature enacted a \$6 million Debenture in 1931 to fund road and bridge construction. It was followed two years later with the establishment of the National Industrial Recovery Act (NRA) in 1933 and the Works Progress Administration in 1935. What followed was the greatest period of progress in the improvement of Montana's roads and bridges. The "make-work" programs put thousands of people back to work through road construction projects. Most of the federal-aid roads in Montana received their first real improvements in the late 1930s. Also constructed were nearly two thousand timber bridges and a large number of railroad grade separations. The boom ended in 1941 with the U.S. declaration of war against Germany, Italy and Japan. Road and bridge construction until 1945 was limited to maintenance with improvements only occurring on those roads deemed strategically important to the U. S.

war effort. Those roads included U.S. Highway 10 between Butte and Anaconda, U.S. 91 between Butte and Great Falls and Secondary 419 in Stillwater County.

The end of the Second World War in 1945 sparked a second road and bridge construction boom in Montana. This boom consisted primarily of improving alignments and surfacing the roads reconstructed in the 1930s. Bridge construction consisted primarily of new timber bridges. The last through truss structure was constructed by the MDT in 1947 near Broadus. This boom continued until 1956 when the Interstate Highway Program was initiated by the federal government.

The roads and bridges covered under this document represent the activities of the MDT before 1956. Many of the roads in the state were originally built during this period as were most of the non-Interstate bridges. While the roads included in the plan are representative of 1930s construction techniques, the bridges in the Plan embody all phases of bridge construction in the state from 1894 to 1956. Represented are the simple timber bridges, both pin-connected and riveted through truss, girder spans and, finally, four types of reinforced concrete construction. The roads and bridges selected for the HPP provide an excellent illustration of how Montana's transportation has developed over the last century.

Although the HPP was developed as an attempt to manage and preserve the most representative examples of Montana's transportation history, it also considers the problems associated with such a program. Many of the roads considered for the Plan are not pristine examples of the resource. Although constructed in the 1920s or 1930s, most were not surfaced until the 1950s. At that time, sub-standard curves were corrected and, often, new alignments constructed, completely abandoning the original route. In many cases, original alignments are now owned by private property owners. Those that have not been reconstructed (mostly in eastern Montana) are narrow, deteriorating and retain sub-standard curves and limited sight-distances. They are, in essence, functionally obsolete and warrant reconstruction. It is the MDT's mandate, moreover, to provide safe and efficient roadways to the public.

For bridges the problems are much more obvious and more demanding. All the through truss bridges in Montana were constructed before 1947. Those constructed before 1926 were designed for a functional lifespan of forty to fifty years. Therefore, they have long outlasted their intended usefulness. They are also narrow with restricted clearances and were not designed to carry the weight loads that many experience today. Many are significantly rusted with loose or damaged structural components. Historic reinforced concrete bridges were constructed primarily in the early 1920s and early 1930s. Problems with these structures include cracking, spalling and exposed rebar. When reinforced concrete was first used early in the 20th century, promoters of the material claimed it would last indefinitely. They did not take into account site conditions, poor construction, the weather's effects on concrete or anticipate future traffic conditions on the structures. Although many are in good shape, many others are significantly deteriorated and require rehabilitation or replacement.

Most of the existing timber bridges were constructed in the 1930s and late 1940s. There is some debate as to whether they were designed as permanent structures or merely as an expedient method of crossing obstacles (in much the same way as the railroads initially built timber trestles that were designed to be replaced by steel structures after the line had been completed). Today, there are only 27 timber bridges that have not been significantly

modified out of 1218 timber structures currently on- and off-system in Montana. Modifications typically include new guardrails, clamped or replaced stringers and new backwalls.

The steel stringer and girder bridges have, for the most part, fared the best of the bridges constructed before 1956. They are not hampered by limited clearances and are much easier to negotiate by agricultural-related traffic. Problems have been limited to rusted or shifted rockers and rust on the steel components.

The Historic Preservation Plan was devised as a method to achieve the goals of the PA and take into account the existing conditions of the resources, while not causing a financial hardship to the state or counties. For the most part, all activities described in the Plan would be implemented when the resource is programmed for replacement by the Department. For example, a bridge will not be considered for the Adopt-A-Bridge Program until it has been programmed for replacement. The funds allocated to its demolition will be transferred to the party agreeing to assume ownership and liability for the bridge. It is the goal of the Plan to make it as self-sufficient as possible.

The HPP was designed to take into account the current condition of the resources, while still leaving room to manage and preserve a representative number of them. This can be done without defeating the Department's mandate and do it in a cost effective way. It would result in the preservation of representative examples of Montana's transportation history and allow for the continued development of the system. The Plan will also include public education about the resources.

IV. INVENTORY

Part A of the Programmatic Agreement (Appendix 1) stipulated the MDT prepare narrative and technical histories for historic road and bridges in Montana. In order to prepare the documents, the MDT historian and archeologist utilized the initial historic bridge inventories prepared for the Department in 1980 and 1986. In addition, a survey was distributed soliciting information on historic roads in 1987. The initial bridge inventories were augmented in 1992 with information concerning the bridge types not included in the initial inventories (i. e. reinforced concrete, steel stringer and steel girder and floor beam structures). The 1980 bridge inventory, moreover, was reevaluated in 1994 and 1995 to include additional bridges that are now believed, by the Department, to be historically significant. The following is the quantification of material researched and surveyed between 1980 and 1995.

Roads

The identification of historic roads has been an on-going process since the late 1980s. Although roads are not considered under the usual Section 106 process because of the PA, the Department's cultural resource staff has kept a record of their location. The MDT's cultural resource term consultants also note their presence in reports submitted to this office.

Also, in the late 1980s, the Environmental Section distributed a survey to the MDT's district offices, local historical societies and museums asking them to fill-out a short inventory form for any historic roads or trails for which they had knowledge. The survey generated 73 responses from throughout Montana. The forms were used to select a representative number of historic road segments that may be eligible for some form of historic designation or interpretation.

For the most part, the selected roads are representatives of 1920s and 1930s highway construction. They are mostly located on alignments that can not be significantly altered because of landscape constraints. Consequently, they represent significant early 20th century road construction practices that can not be profoundly altered. Appendix 2 includes the nominations from the public and MDT.

Bridges

The bridge inventory included 2,159 structures constructed between 1894 and 1956. Of those, 1,353 are on-system and administered by the MDT, while the remaining 806 are off-system and administered by the counties. Many others have been bypassed and abandoned by subsequent construction and are now on private land. Approximately 57% of the on- and off-system bridges in Montana were constructed between 1894 and 1956. Of those, 56% are timber stringer structures, 17% truss and the remaining 27% steel stringer and reinforced concrete bridges.

There are seven bridge types existing both on- and off-system. They are: timber, steel and timber truss, steel stringer, steel girder, reinforced concrete, masonry arch and suspension bridges. The reinforced concrete bridges, moreover, are divided into three sub-categories. They are: arch, slab/box culvert and T-beam. Except for a timber stringer bridge in

Helena, the oldest existing bridges in Montana are the truss structures.

Timber

Timber bridges are the oldest bridge type in Montana. The first timber bridges in Montana were constructed by Mullan's expedition in 1860. The simple design and easy availability of materials made timber bridges the most common crossing structure in Montana until the arrival of the railroad in 1881. The simple design (Timber stringers, decking, pile bents and guardrails) made the bridge type popular again in the 1920s when the design was standardized by the Montana Highway Commission. In 1925, the Commission began treating the timber components with creosote to increase their functional life. Today, timber bridges are the most common type of structure on Montana's non-Interstate on-system roadways.

The MDT conducted a timber bridge survey in 1986. The survey inventoried 1218 timber bridges, 952 are located on-system, while 266 are off-system bridges. Over 50% of the bridges were constructed between 1933 and 1941--most with federal "make-work" funds.

Twenty-seven timber bridges were determined eligible for the NRHP as a result of the survey; at least three of those, however, have since been demolished. Appendix 3 is a list of the timber bridges determined eligible for the NRHP.

Truss

The first steel through truss highway bridge in Montana was constructed at Fort Benton in 1888. By the early 1890s, bridge construction companies were operating throughout the state. The counties selected the bridge design from company agents and funded the construction of the structure. Between 1894 and 1913, there were at least 42 bridge companies active in Montana. The companies basically constructed two types of steel truss bridge: Pratt (41%) and Warren (32%). The remaining consisted of variations of the Pratt through truss design. These included: the Pennsylvania (4%), Parker (8%) and the Camelback (4%). The remaining eleven percent included Baltimore, King and Queen post trusses and combinations of the above. Fully half of the inventoried bridges are pony trusses. The existing truss bridges are indicative of changes in technology. For example, pin-connected through trusses were constructed in great numbers by the bridge companies before the standardization of bridge designs by the Montana Highway Commission in 1915. Improvements in field construction techniques specified by the Commission, however, resulted in the use of rivets for bridge connections. That change in technology is well-documented in the existing truss bridges on Montana's on- and off-system roads.

The initial truss bridge inventory was conducted by the MDT in 1980. Approximately 371 structures were inventoried, including railroad and highway bridges. For the purposes of this document, however, the railroad bridges have been excluded from consideration in the Historic Preservation Plan. Seventy-four highway bridges were determined eligible for the National Register of Historic Places (NRHP) by the MDT and SHPO. In the ensuing fifteen years, however, fifteen bridges from the original inventory have been relocated or demolished. The MDT reevaluated the non-eligible bridges for consideration in this Plan.

In 1992 and 1994, 282 truss bridges were reevaluated for inclusion in the plan. Of those, forty are located on-system and 242 are off-system and under county jurisdiction. Most of the through trusses (39%) in Montana were built by bridge construction companies between 1907 and 1916. Eighty-five of the trusses are on county-maintained farm-to-market roads. Appendix 4 is the list of bridges determined eligible for the NRHP in 1980.

Steel Stringer

Steel Stringer bridges are the most rudimentary structures on Montana's roadways. They consist simply of steel I-beams spans supported by concrete or timber abutments. The decks are sometimes flanked by low riveted steel angle-section or concrete guardrails. The simple design of the bridge requires little maintenance and is very durable. There are few variations in the design other than the number of spans and type of guardrail.

In Montana, steel stringer bridges were usually constructed on rural farm-to-market roads. The simple structures were inexpensive, easy to build and required little maintenance. Consequently, they were constructed in large numbers in eastern Montana between 1901 and 1941. The oldest steel stringer bridge inventoried was constructed in 1901 and is located on Locate Creek (L09305003+03001/24CR761) in Custer County; the bridge is included in the HPP.

The MDT historian evaluated 317 steel stringer bridges for possible inclusion in the HPP. Seventy-seven of those bridges are located on-system, while 240 are located off-system on county farm-to-market roads (75%). Approximately 42% of the steel stringer bridges in Montana were constructed between 1930 and 1940.

Steel Girder

The Montana Highway Commission developed a standard steel girder bridge design in the early 1920s to convey traffic across wide crossings on Montana's primary road system. The design usually consisted of two or three deep riveted steel girders with steel floor beams and sway braces. Because of their length (they average 320-feet), the structures have rockers to allow for thermal variations. The first bridge of this type was constructed in 1909 in Jefferson County. Until recently, the longest steel girder bridge of this type was the Missouri River (O.S. Warden) Bridge at Great Falls (P00060094+08282/24CA401); it has been included in the Historic Preservation Plan.

There are one hundred steel girder and floor beam bridges both on- and off-system in Montana. Eighty of the bridges are on-system. Most of the historic bridges were constructed between 1940 and 1949 (37%); seventy-eight of those constructed during that period are located on-system.

Reinforced Concrete

Until the initiation of the Interstate Highway Program in the late 1950s, reinforced concrete bridges were not a major factor in Montana bridge development. Although the material was easy to produce once a suitable aggregate source had been located, the construction of forms and specialized machinery required the use of skilled labor. The bridge type, moreover, was more expensive and labor-intensive than the more simple timber and steel stringer structures. Consequently in Montana, reinforced concrete bridges constitute only eight percent of the total number of bridges constructed between 1910 and 1956. Most of the designs are rather simple and repetitive, but others, such as the Fromberg Bridge (24CB1223), Yellowstone River Bridge at Carter (S00540031+06621/24PA777), the Chicago, Milwaukee, St. Paul & Pacific Railroad Overpass in Great Falls (U05217001+05401/24CA393), and the Bluewater Creek Bridge (L05302008+06001/24CB1309) are excellent examples of the type and are included in the HPP.

There are four types of reinforced concrete bridges represented both on- and off-system in

Montana: arch (4%), T-beam (74%) and slab/box culvert (22%). Of the 187 reinforced concrete bridges in the state constructed between 1910 and 1956, 147 are on-system and 30 are off-system. Most were constructed between 1930 and 1936 (51%).

Other

In addition to the above referenced bridge types, there is also one masonry arch structure (Dry Wolf Creek-L23101010+01001/24JT251-in Judith Basin County) and a three-span suspension bridge over the Marias River in Liberty County (Pugsley Bridge-L26038005+05001/24LT76). The remaining structures consist of steel and concrete culverts; they were not evaluated for inclusion in the HPP.

V. MANAGEMENT SYSTEM

The National Historic Preservation Act of 1966 was passed to provide protection and recognition to the nation's historic landmarks. The Act's enabling regulations, Sections 106 and 110, are designed to define the procedures by which federal agencies (or their designates) will take into account their actions on historic properties. Section 110(a)(1) of the guidelines specify that "all Federal agencies shall assume responsibility for the preservation of historic properties which are owned or controlled by such agency. This section also outlines the "procedure for the use of historic properties for agency purposes, or the purposes of others, in a manner that does not cause significant damage or deterioration of such properties." Section 110(a)(1) and (2) stipulate how the agency will comply with the regulations. The Section 110 Guideline provides the basis for this Historic Preservation Plan.

Section 110(a)(1) ' (c) states that "Preservation Plans should be developed for historic property types that the Agency knows it has under its jurisdiction or control." Properties should be selected for the Plan based on the following attribute: interpretive value, contribution to sense of time and place, research and information value, rare or typical types, and socio-cultural value. Other important factors for inclusion on the plan are detailed below.

Decisions regarding the Historic Preservation Plan will be made by the MDT in consultation with the FHWA and SHPO. If a procedural question occurs or the SHPO and MDT cannot agree regarding the implementation of the HPP, then it will be forwarded to the ACHP for resolution of the dispute.

The MDT will establish a committee to consider the designation of historic road segments, the nomination of bridges to the Rehabilitation Program and the inclusion of structures in the Adopt-A-Bridge program. The committee will include the appropriate Division and District Administrators, bureau chiefs and State Historic Preservation Officer (SHPO). It will also include the Environmental Services Unit historian (historian) who will function as the facilitator of the committee. The candidates for inclusion in the HPP will be submitted to the State Historic Preservation Office for comment and, if necessary, Determinations of Eligibility made per 36 CFR 800.4(c).

The historian will be required to select the road or bridge to be considered and request comments from SHPO and the committee. If approved, the road or bridge will be added to the appropriate program. It will be the task of the historian to keep records of the activities conducted under this Plan and submit written biennial reports to FHWA, ACHP, SHPO and the MDT detailing the actions of the committee and the effectiveness of the HPP. The historian will also be responsible for other tasks delineated below.

Section 110 regulations also specify that if the MDT (as the FHWA representative) designates a historic property to be modified, the modifications be consistent with Secretary of the Interior's *Standards for Rehabilitation* (revised, 1992) and to consider

ways that historic properties can be used and integrated into the proposed activity (project). Sections VI(A & B) of the HPP take into account this aspect of the document. It is understood that many segments of historic roads under the jurisdiction of the MDT are sub-standard and will be reconstructed at some point to correct safety concerns; it is also understood that some of that work can be modified to have a minimal impact to some historic features associated with the roadway.

Section 110(a)(1) concerns the rehabilitation and reuse, where feasible, of an historic structure under the jurisdiction of the agency. It also states in Section 110(a)(2) ' V. that a structure should only be moved when there is no feasible alternative for preservation in place. "When a property is moved, every effort should be made to reestablish its historic orientation, immediate setting and general environment. Sections 3 and 4 of Part VI(B) below attempts to fulfill the MDT's obligations under Section 110 Guidelines.

Finally, the enactment of this Preservation Plan does not relieve the FHWA or MDT from its responsibilities under the National Environmental Policy Act of 1969 (Section 110(a)(2)(i)). All actions under this Plan will be fully coordinated with MDT's programs of environmental review under NEPA. Section 110 regulations also state "Nothing in the [National Historic Preservation Act] shall be construed to require the preparation of an Environmental Impact Statement where such a statement would not otherwise be required under [NEPA], and nothing in this Act shall be construed to provide any exemption from any requirement respecting the preparation of such a statement under the Act."

Section 110, Part III regarding consultation with other agencies and the public must also be followed and will be conducted through the regular NEPA process described above. Part VI consists of the procedures that will be utilized by the MDT to ensure compliance with both Section 110 guidelines and the Historic Roads and Bridges Programmatic Agreement. It has been sub-divided into a section involving only historic roads, another regarding historic bridges, and, finally, education programs the MDT will establish to interpret both resources.

VI. THE PLAN

A. For Roads

1. Introduction

This portion of the HPP treats historic roads in Montana. Currently, the MDT administers approximately 8071 miles of roadway, including primary, secondary and urban routes. Unfortunately, many of the intact segments of historic roads are no longer administered by the Department, but are, instead, county roads or privately owned. Many of them, moreover, are frontage roads that parallel the existing Interstate highways. Other historic roads are administered by the U. S. Forest Service, Bureau of Land Management, National Park Service and the Bureau of Indian Affairs. The MDT will seek no jurisdictional control of those facilities, but will attempt, through this HPP, to secure agreements to develop a statewide data base for historic transportation systems in Montana.

Not surprisingly, the treatment of historic roads under this plan is somewhat difficult. The MDT is mandated to provide safe and efficient roadways for the traveling public. The preservation of what may be historically significant sub-standard roadways will not be permitted. Consideration of its historic significance, however, will be taken into account when it is reconstructed. Consequently, this portion of the HPP attempts to minimize impacts to historic roadways while not deterring the MDT from its mission.

2. Historic Road Database and Map

The MDT is the state agency primarily responsible for the design, construction and maintenance of roads and bridges in Montana. As such, it bears responsibility for collecting and interpreting the history of transportation in the state for which it is largely responsible. This section of the HPP would make the Department the lead agency for the accumulation, interpretation and dissemination of information regarding historic transportation systems in Montana.

The program will consist of the following:

- A). The MDT will develop and implement a Historic Transportation Systems (HTS) database. The database will utilize the latest version of the ArcView software package and will be available to subscribers through the Internet and/or World Wide Web. The MDT will be the lead agency in developing and maintaining the HTS.
 - (1). The information contained in the HTS will be used to develop a statewide historic context for the history of transportation systems in Montana. The information will be available to agency subscribers as outlined in Section VI(A)(2).

- (a). The data included in the HTS will be developed based on a consensus of the MDT and SHPO. The MDT will be responsible for maintaining the database. Inquiries regarding historic roads and trails, however, would be referred to the appropriate agency where the facility is located or administered.
 - (b). The HTS will be a modular system that will be available through "off-the-shelf" software components.
 - (c). Security for different levels of access will be handled at both the system level through verifiable accounts and down to the field level within the database itself.
 - (d). Information from the HTS would be available through keyword searches or "searching on local and regional subsets of data."
- (2). The project will be funded with Transportation Enhancement (ISTEA) funds over a three year period beginning in September, 1997.
 - (3). The MDT will coordinate with SHPO on the production and operation of the database in order to extend the applicability of the database to the broadest agency use.
 - (4). Memoranda of Understanding regarding management of the system will be developed to include all agencies with jurisdiction over historic roads and trails.
 - (a). These will include:
 - (1). National Forest Service
 - (2). National Park Service
 - (3). Bureau of Indian Affairs
 - (4). Bureau of Reclamation
 - (5). Bureau of Land Management
 - (6). Counties (through the Montana Association of Counties).
 - (b). The SHPO and ACHP (where appropriate) will be included as signatories to these MOU's.
 - (c). An advisory board consisting of registered users of the HTS will be formed by the MDT.
 - (1). The advisory board will meet annually or on an "as-needed" basis.
 - (d). The program will be reviewed every three years by those parties utilizing the database. If found to be inadequate or not useful to the agency, the HTS MOU's can be terminated by those agencies involved.

- (1) That information already entered in the system, however, would remain in the system and be subject to retrieval on an as needed basis.
 - 5). The information gathered through this process will be maintained and administered by the MDT's Cultural Resource Unit.
- B). The MDT will produce a biennial summary report of the information obtained as a result of the agreement beginning in December 1998.
 - 1). The report will be distributed to the signing parties of the MOU's as well as local historical societies and interested members of the public.
- C). With the written consent or unless there is written objection of the signatories, the MDT will produce a map that will delineate the location of significance historic roads and trails in Montana in relation to the existing transportation system.
 - 1). The map will be made available to the public and distributed through the Montana Department of Transportation.
 - (a). The map will be similar in scope and appearance of the *Montana Official Highway Map*.
 - (b). This provision will require MDT funding.
 - (c). If it is determined that there will be a monetary charge for the map, the money will be used to produce subsequent maps and/or interpretive markers.
- D). If the above agencies decline to be involved in such an undertaking, then the MDT will continue to identify, record and photograph segments of historic roads and trails within their jurisdiction.

3. Highways of Historical Significance

The MDT, in conjunction with the SHPO, Montana Historical Society (MHS), state historical museums, and the Montana Chapter of the American Society of Civil Engineers will develop a list of significant historic roads in the state. Roads that are selected through this process will undergo further review by the Department and SHPO to establish their historical significance to the development of the state's transportation system. The highway will be evaluated against the National Register criteria (Appendix 8) to determine if it is a representative and outstanding example of road technology. If so, the facility will be designated a "Historic Highway" and treated accordingly.

- A). The MDT has developed a Scenic and Historic Byways Program to recognize roadways of special significance to the State of Montana. One of the criteria for inclusion in the program is the historical significance of a facility proposed for inclusion in the program.
 - 1). The MDT historian will be a member of the committee appointed by the Montana Transportation Commission to consider selection of proposed

roadways to the program.

- 2). The facility will be designated a "Scenic/Historic Byway" on the Montana "Official Highway Map."
- 3). The MDT will install interpretive markers that describe the significant aspects of the roadway, including engineering features, roadside architecture and commercial activities specifically associated with the facility.
 - (a). Interpretation could also include the construction of trailheads to provide access to abandoned segments of historically significant roadways.
 - (1). This stipulation of the Plan may be conducted in conjunction with other federal and state agencies when the opportunity arises.
- 4). This stipulation of the Plan will be implemented upon the approval of the Scenic and Historic Byway Program by the State Legislature.

4. Historic Highway Program

For those roadways built after 1913 under the jurisdiction of the MDT, the following program will be established:

- A). Through Part 3 above, the Cultural Resource Unit will initially compile a list of 10 - 15 historic road segments in Montana that are significant for their engineering and associated features (i.e. bridges, roadside architecture, proximity to abandoned segments of historic road, etc.)
 - 1). Segment is defined as a recognizable section of roadway that retains a significant portion of its original design features, alignment and associated features (i.e. roadside architecture, bridges, etc.) to meet National Register criteria for inclusion on the National Register of Historic Places.
 - a). The segment will be identified by the MDT historian and SHPO will be consulted to obtain their concurrence.
 - 2). The list will be distributed to the FHWA, Highways and Planning Division Administrators, District Administrators, Preconstruction and Bridge Bureaus and the SHPO for comment.
 - 3). The list will also be distributed to the Department of Commerce's Travel Montana Bureau for coordination with their programs.
- B). Where feasible, the MDT will seek to preserve as many of the historic features associated with the designated roadway that is possible based on current AASHTO standards.
 - 1). This component of the Plan will not interfere with the Department's mandate to provide safe and efficient roadways for the traveling public. If

retaining the feature would constitute a safety hazard, the [i]mpacts may be minimized through the following methods:

- a). The use of design exceptions to exclude the removal of certain objects from the Right-of-Way or clear zone.
 - b). The integration of historic road features into the proposed roadway.
 - c). The relocation of certain objects (i.e. concrete R/W markers) to correspond with proposed R/W limits.
 - d). The development of a design that may accentuate significant historic features associated with the roadway.
- C). The historian will be included in the Preliminary Field Review and subsequent field reviews to work with the designers in the planning phase of the project.
- D). The public will be invited to comment on the proposed undertaking when HPP involvement is included. Public comments will be solicited through regular MDT procedures.
- E). If a road designated for this program is dropped from consideration and impacts to it would result in adverse effect as defined in 36 CFR 800.9(b), it will be mitigated in the following manner:
- 1). The facility will be documented to HAER standards. This will include the roadway, its accompanying features (i.e. bridges, culverts, retaining walls, etc.) and any historic roadside architecture specifically associated with the facility. This will include motels, drive-in restaurants and theaters, service stations, etc.
 - (a). This program will occur only on those roads previously selected for this project. It will not include all primary and secondary roads within Montana.
 - (b). A complete history of the road within the MDT project area will be prepared by the historian. The history will include the information compiled from part (a) above.
 - (c). The historian will prepare a report and submit copies to the SHPO, the Montana Historical Society and any local historical museums or societies within the area where the project occurs.
- F). When Interstate Highways become eligible for the NRHP after 2010, they will be considered under this program when the project involves activities other than overlays or resurfacing.
- G). If the undertaking is approved by the MDT and FHWA, the Environmental Services Unit will acquire the agreements or permits with other affected county governments and/or state agencies when necessary. When a segment of designated historic roadway is programmed for widening or reconstruction, the

Preconstruction Bureau will notify the Environmental Services prior to the Preliminary Field Review.

5. Oral History Program

The Montana Department of Transportation will initiate an oral history program to compile information about the historical development of the state's transportation system from former and present employees. The information will be quantified to determine what the interviewees believe have been the Department's most significant contributions to the state's transportation system. The information will also be used to help compile a list of roads that can be designated "Historic Highway" (see Sections 4 and 5 above). The program will be administered by the MDT's Cultural Resource Unit.

The program will consist of the following:

- A). The MDT Cultural Resources Unit will be required to attend a half-day seminar provided by the MHS about conducting oral history interviews.
- B). All interviews will be conducted in accordance with the MHS's pamphlet "Oral History Interviewing."
- C). The MDT Environmental Services Unit will purchase a cassette tape recorder and 90-minute tapes in order to conduct the interviews.
- D). Interviewees will include retired and active employees of the Montana Department of Transportation.
 - a). All interviewees will be required to sign a release form authorizing the interview's use by researchers.
- E). The MDT will provide a copy of the transcript and the cassette tape of the interview to the Montana Historical Society.
 - a). The MDT Cultural Resource Unit will retain a copy of the interview transcript.
 - b). The interviewee will also be provided a copy of the transcript.
- F). Within five years of the initiation of the program, the MDT will prepare an article for publication describing the history of the MDT based on the information acquired from the Oral History Program.

6. Publications

The MDT will provide \$10,000 to the Montana Historical Society (MHS) for the publication of *Journeys to the Land of Gold: Emigrants on the Bozeman Trail, 1863-1866*. The book will contain first-person accounts of the Bozeman Trail, including detailed maps of the trail and its relation to existing Interstate and primary roadways in Wyoming and Montana.

This publication will include the following:

- A). The MHS Press will market the book for sales by bookstores and by local

historical societies throughout Montana.

- 1). The MHS will provide the MDT with 15 copies of the book when published.
 - a). The MDT historian will distribute them to the Director, District Administrators and all division bureaus.
- B). The MHS Press will publish the book by December 31, 1998.
- C). All profits from the sale of the book will be utilized by the MHS to publish other transportation related volumes.

7. General

In addition to the above process, the MDT will also complete the following provisions of this Historic Preservation Plan.

- A). The MDT will expand the existing *Roads to Romance: The Origins and Development of the Road and Trail System in Montana* document to include the following:
 - 1). The development of a historical context for pre-1913 roads in Montana.
 - (a). This will serve to eliminate discrepancies in the 1989 Historic Roads and Bridges PA.
 - 2). The inclusion of additional material describing the MDT's influence on the development of Montana's transportation systems.
 - 3). The addition of material acquired as a result of Parts 2 - 4 above.
 - 4). The inclusion of historic photographs to better illustrate the history of Montana's transportation system.
- B). The MDT will update and republish *Monuments Above the Water: Montana's Historic Highway Bridges, 1860-1956*.
- C). The MDT will continue developing a historic context for Interstate highways that will be available when the first segments of Interstates in Montana become eligible for the National Register of Historic Places in 2008.
- D). It is recognized that the procedures of this Plan outlined above are an on-going process. Only specific activities have been given a definite deadline.

B. Historic Bridges

1. Introduction

The MDT is currently responsible for the maintenance of about 1353 bridges that were constructed before 1956. All are located on primary, secondary and urban routes. In addition, there are some 800 off-system bridges that the MDT regularly inspects as part of the National Bridge Inspection Program. It is the intent of this portion of the HPP to devise a method by which some significant historic bridges can be rehabilitated and others given to responsible property owners. It also provides for the education of engineers, students, cultural resource professionals and interested members of the public about the advantages and difficulties of bridge rehabilitation and methods used to accomplish

rehabilitation while maintaining the historic integrity of the structures.

2. Education

- 1). The FHWA and MDT will sponsor a biennial workshop on the rehabilitation of historic bridges. The workshop will be conducted by experts in the field of historic bridge rehabilitation and by bridge historians. The course will be offered to MDT employees, engineering students from Montana State University in Bozeman and the Montana School of Technology in Butte, County Commissioners, County Road Supervisors and interested members of the public. It is the intent of the workshop to educate people about the importance of historic bridges and the feasibility of rehabilitation.
 - A). The workshop will be paid for through attendance fees.
 - B). The Bridge Bureau and MDT historian will be responsible for organizing the workshop.
- 2). The MDT will produce informational brochures on the Historic Bridge Rehabilitation and Adopt-A-Bridge programs.
 - A). The brochures will describe procedures, benefits of the programs, address liability issues and provide the names of contact people in the MDT for those wishing additional information.
 - 1). The brochures will be made available to the public through the MDT, County Courthouses and at MDT's public information meetings where historic bridges may be impacted.

3. Historic Bridge Rehabilitation Program

The MDT will initiate a program to rehabilitate, rather than replace, some on- and off-system historic bridges. In 1995, the MDT solicited nominations for this program from the MDT Bridge Bureau, the District Administrators and the county road and bridge supervisors. This list was compared to one developed by the historian and a master list compiled. The inventory contains 88 bridges that have been selected for this program. This constitutes less than 2% of the total number of on- and off-system bridges in Montana. The criteria for selection includes historical significance, if characteristic of a specific type or design, rarity, suitability for rehabilitation and existing use. Section 110(A) also specifies that integrity and condition of the structure be considered as well as the cost to maintain it or its existing use or potential re-use. In addition, some bridges were selected because of their existing or potential function as a pedestrian/bicycle crossing. This program will accomplish the goal of preserving some historic bridges in-place and thereby maintain their original function.

The MDT Bridge Rehabilitation Program consists of the following:

- A). Eighty-eight (88) bridges have been selected for the rehabilitation program. The bridges were chosen for their historical and structural significance, suitability to the program and their existing use (i.e. traffic volume, location, etc.). Appendix 5 is the list of bridges selected for this program.
- B). When programmed for some type of construction activity or placed on the priority list, the first consideration will be given to rehabilitation of the bridge instead of

replacement of the structure. Replacement will be considered as only a last option.

- 1). The bridges on the rehabilitation list were chosen for their structural integrity, historic significance and suitability to rehabilitation (i.e. location, traffic demands, etc.).
 - 2). If the bridge must be replaced rather than rehabilitated, the reason must be documented and submitted to the MDT historian. The reasons may include:
 - (a). Financially unfeasible
 - (b). Structure is not suited to rehabilitation for the required usage
 - (c). Structural deficiencies are too great
 - (d). Technically unfeasible
- C). The appropriate environmental document concerning the rehabilitation project will be prepared by the MDT Environmental Services Unit.
- 1). An exception to AASHTO standards may be required from FHWA for a rehabilitation project.
- D). The bridge rehabilitation design must adhere to the Section 110 Guidelines and the Secretary of the Interior's *Standards for Rehabilitation*. The guidelines are included as Appendix 6.
- 1). Exceptions will be allowed for type of guardrail and bridge decking material.
 - (a). The exceptions will be reviewed prior to the completion of the final plans to determine compatibility to the historic and/or structural significance of the structure.
- E). The rehabilitation option will be presented to the public through the regular environmental review process.
- F). If the only option is replacement of the bridge, then it must be considered for the Adopt-A-Bridge Program (Section 4).
- 1). Adoption will be contingent on the bridge type and structural condition.
- G). Some off-system bridges included in this program are closed to vehicular traffic and under county jurisdiction or private ownership. They are, however, included in this plan. Rehabilitation of these structures must be performed in the following manner:
- 1). The bridge will not be eligible for federal or state rehabilitation funds under the Highway Bridge Replacement and Rehabilitation Program.
 - 2). Because the bridge met National Register criteria and has been determined eligible by the MDT and SHPO, it would qualify for rehabilitation funds under the Community Transportation Enhancement Program (CTEP) guidelines.
 - 3). The owners of the structure must apply for CTEP funds through the county in which the bridge is located and follow the guidelines

established for the program.

- 4). Plans for these projects must also follow the Secretary of the Interior's *Standards for Rehabilitation*.
 - (a). The draft plans will be reviewed by the Bridge Bureau.
 - (b). The applicant will not be reimbursed for the rehabilitation work unless it meets the Secretary of the Interior's Standards upon completion of the project.
- H). If a bridge selected for the rehabilitation program proves unsuitable because of the reasons outlined in Part 3(B)(1) or is inadvertently destroyed, then another bridge will be nominated for inclusion in the program. The following procedure will be used to place another bridge on the rehabilitation list:
 - 1). The MDT historian will compile a list of candidates for the program and submit it to the SHPO for comment.
 - (a). The SHPO will have thirty (30) days to comment on the list.
 - 2). The MDT historian will submit the preferred bridges to a committee composed of the District Administrator, Bridge Engineer, Environmental Services manager and appropriate county road and bridge supervisor for comment.
 - (a). The committee will have thirty (30) days to comment on the candidates for the program.
 - 3). The MDT historian will make the selection for the rehabilitation list based on the recommendations of the committee.
 - (a). Bridges not selected by the committee will be placed in a pool for possible selection to the list at a later date.
 - (b). The SHPO will be notified which bridge(s) were selected for inclusion in the program.
- I). When a bridge is rehabilitated, an interpretive marker will be considered for the site. The marker will describe the history of the bridge, its inclusion in the MDT's Roads and Bridges Historic Preservation Plan, and information concerning the rehabilitation.
 - 1). The cost of the marker will be factored into the cost of the rehabilitation project.
- J). When a bridge is rehabilitated, the MDT historian will prepare a newspaper article describing the Department's efforts to rehabilitate the bridge, its history and why rehabilitation was chosen. The article must be submitted to the appropriate newspaper within thirty (30) days of the initiation of rehabilitation project.
- K). If the Bridge Rehabilitation Program is proven to be ineffective in its purpose to preserve historic bridges, then it will be revised through consultation with FHWA, ACHP and SHPO.

4. Adopt-A-Bridge Program

The MDT will initiate and promote an Adopt-A-Bridge program to find "new homes for

old bridges" that have been designated for replacement. It is recognized that not all historic bridges can be preserved through this program. Much will depend on the proximity of the structure to a suitable alternate site, type, size and condition of the existing bridge, the structure's ability to withstand the relocation, and the new owner's ability to accept responsibility and liability for the bridge. Doubtless many historic bridges will still be demolished, but this program may succeed in preserving a significant number of them.

The Adopt-A-Bridge program consists of the following:

- A). All truss and steel girder bridges with a structural rating of three (3) or above will be considered for the program. The bridge must be fifty years old at the time of the scheduled replacement.
- B). Reinforced concrete and timber stringer bridges will not be considered for this program unless they can be preserved in place.
- C). Evaluation of the historic bridge for inclusion in the program will be made during the preliminary field review of the proposed project by the appropriate District Administrator, the MDT Bridge Bureau, and the MDT's Environmental Services Unit historian.
 - 1). The Bridge Bureau's recommendation will be based on the structural condition of the bridge and its suitability for relocation.
 - 2). The historian's recommendation will be based on the bridge's historic and/or structural significance.
 - (a). The evaluation will be based on the National Register of Historic Places criteria (Appendix 8).
 - (b). A bridge will not be considered for the program if the loss of integrity has rendered it ineligible for the NRHP.
 - 3). The SHPO will be notified of the bridge's selection to the Adopt-A-Bridge program and given thirty (30) days to comment.
- D). The MDT will prepare and distribute a brochure that provides information about the Adopt-A-Bridge program to the general public.
 - 1). The brochure will be available through the MDT headquarters and each of the five district offices. Copies of the brochure will also be provided to the 56 Montana counties. It will also be distributed at public hearings where bridges eligible for the program are discussed.
- E). If deemed suitable to the program, the bridge will be advertised for adoption in the local newspapers and radio public service announcements (PSAs) and on the Internet on the MDT's Web Page.
 - 1). The historian will prepare the advertisement and submit it to the appropriate newspaper(s) at least ninety (90) days before the scheduled ready date for the project.
 - 2). The MDT will offer potential owners the demolition cost of the bridge as an incentive to adopt the historic structure.

- (a). If the bridge is to be relocated, then the demolition money can be applied to the move.
 - (b). If the bridge will be adopted and left in-place, then the money must be applied to the restoration, rehabilitation or insurance liability for the historic structure.
- 3). The Bridge Bureau will receive the responses to the advertisements and PSAs.
- F). The Bridge Bureau will contact potential interested owners of the historic bridge and request they provide the following information (in writing): the proposed location, intended use of the bridge when adopted and ability to assume the liability and responsibility of the bridge.
 - 1). If it is determined that a potential recipient of an historic bridge intends to demolish it for its value as scrap metal, then he/she will be removed from further consideration.
- G). The District Administrator, Bridge Bureau, Agency attorney and the historian will select the new owner based on the written response received from Part E above and from criteria described in Appendix 7.
- H). The new owner (2nd Party) must agree, in writing, to assume the liability for the historic bridge once he/she has taken possession of the structure. The MDT and/or County will not be held liable for the bridge once ownership has been transferred to the 2nd Party. A sample copy of the agreement is included as Appendix 9.
- I). If the bridge will be relocated, the 2nd Party must remove the bridge from the construction site within 30 days of notification by the Project Manager. The 2nd Party will be provided with the demolition funds for the move once the MDT Bridge Bureau has been notified by the Project Manager that the bridge has been removed from the construction site and relocated.
 - 1). The 2nd Party must maintain the bridge and the features that give it its historic significance.
 - 2). The 2nd party must assume all future legal and financial responsibility for the bridge, which may include an agreement to the Montana Department of Transportation harmless in any liability action.
 - 3). The 2nd Party will permit access to the relocated bridge by the MDT historian for up to five years for follow-up documentation purposes.
 - 4). The MDT will notify the 2nd Party of any inspection of the bridge ten working days before the visit.
- J). If the bridge is left in place, the 2nd Party will be provided the demolition funds for the property transferal once documentation has been received by the District

Administrator, Bridge Bureau and historian detailing plans for restoration or rehabilitation and the agreement has been executed.

- K). The 2nd Party will be responsible for securing all necessary permits and easements from the appropriate federal and state agencies (i.e. Army Corps of Engineers, Montana Department of Natural Resources and Conservation, etc.).
- L). No demolition funds will be provided to the second party until they have assumed the liability and responsibility for the bridge.
- M). The MDT historian will conduct HAER-level documentation of the bridge prior to its adoption.
- N). The MDT will be responsible for removing the abutments and piers and the clean-up of the old bridge site (if necessary).
 - 1). If the abutments are determined structurally significant, they will be left in place.
 - (a). The MDT will make that determination on a case-by-case basis.
- O). The historian will prepare a biennial report detailing the progress of the Adopt-A-Bridge program. The report will be submitted to FHWA, ACHP and SHPO and the Montana Transportation Commission. The report should include:
 - 1). Number and type of bridges impacted by the program.
 - 2). Current use of the historic bridges relocated or left in place.
 - 3). Benefits and problems of the program.
 - 4). Before and after photographs
 - 5). Assessment of the program's value.
- P). If the Adopt-A-Bridge program is proven to be ineffective in its purpose to preserve historic bridges under public or private ownership when left in place or at alternate locations, then it will be revised through consultation between the FHWA, ACHP and SHPO.

5. Bypassed and/or Abandoned Bridges

The MDT Cultural Resource Unit will continue its policy of recording, photographing and mapping bypassed and/or abandoned highway bridges. This program was initiated in 1995 and has already located and recorded nearly twenty-five structures that were constructed between the mid-1910s and 1941. The site forms for the program will be submitted to the SHPO and University of Montana. No Section 106 Determinations of Eligibility will be made for these bridges. The information will be entered into the database established in Section A(2) above.

C. General

- 1). The MDT, in cooperation with the FHWA and SHPO, will develop a slide or video program detailing the history of the Montana Department of Transportation for use by the general public. The program will be available through the MDT and loaned to interested parties free-of-charge. The slide show will be updated as new material becomes available and as additional roads and bridges attain historic age.

- 2). The MDT will provide the FHWA, SHPO, and ACHP a biennial report detailing the activities completed under this Historic Preservation Plan. The report will detail the plan's accomplishments, bridges that have been rehabilitated and demolished, a fiscal analysis of the program, and the perceived benefits of the plan. It will also include comments received from federal and state agencies and the public. The initial report will be completed and distributed to the above agencies by June 30th, two years after the HPP is implemented.
- 3). The MDT will work with the Montana Historical Society to develop educational programs for elementary and high school students.
- 4). The MDT will initiate a historic marker program that focuses on the history of transportation in Montana. The program may include significant roads and bridges that are not included in Parts A and B above. The first marker will be installed by June 30, 1997. Appendix 10 is a list of the initial ten markers included in this program.
 - A). The marker program will be contingent on available funding. Currently it is funded through June, 1998.

Appendix 1: The 1989 Historic Roads and Bridges Programmatic Agreement.

PROGRAMMATIC AGREEMENT

Among the Federal Highway Administration (FHWA), the Montana State Historic Preservation Office (MSHPO), and the Advisory Council on Historic Preservation (ACHP), to develop a historic preservation plan to establish processes for integrating the preservation and use of historic roads and bridges with the mission and programs of the FHWA in a manner appropriate to the nature of the historic properties involved, the nature of the roads and bridges in Montana, and the nature of the FHWA's mission to provide safe, durable and economical transportation.

WHEREAS, Congress has mandated that highway bridges be evaluated, and where found substandard, be rehabilitated or replaced and has provided funding for these purposes, to insure the safety of the traveling public (through the Highway Bridge Replacement and Rehabilitation Program); and

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has standards regulating the construction and the rehabilitation of highways and bridges that must be met by the FHWA to insure the safety of the traveling public; and

WHEREAS, Congress declares it to be in the national interest to encourage the rehabilitation, reuse and preservation of bridges significant in American history, architecture, engineering and culture; and

WHEREAS, the FHWA proposes to make Federal funding available to the Montana Department of Highways (MDOH) for its ongoing program to construct and rehabilitate roads and bridges, and MDOH concurs in and accepts responsibilities for compliance with this Agreement; and

WHEREAS, the FHWA has determined that the construction and improvement of

highways may have an effect on historic roads and bridges that are listed in the National Register of Historic Places, or may be determined eligible for listing, and have consulted with the ACHP and the MSHPO pursuant to Section 800.13 of the regulations (36CFR800) implementing Section 106 of the National Historic Preservation Act (16U.S.C. 470f); and

WHEREAS, the parties understand that not all historic roads and bridges fall under the jurisdiction of sphere of influence of the FHWA, and that to encourage other parties to participate in preservation efforts, an education to foster a preservation ethic is needed; and

NOW THEREFORE, FHWA, MSHPO, and ACHP agree, and MDOH concurs, that the following program to enhance the preservation potential of historic roads and bridges, and to promote management and public understanding of and appreciation for these cultural resources will be enacted in lieu of regular Section 106 procedures as applied to historic roads and bridges only.

Stipulations

The Federal Highway Administration will ensure that the following program is carried out:

The Federal Highway Administration, in cooperation with the Montana Department of Highways, will develop a preservation plan to ensure the preservation and rehabilitation of the states [sic] significant historic roads and bridges, and will develop and on-going educational program to interpret significant historic roads and bridges that illustrate the engineering, economic, and political development of roads in Montana. Specifically:

A. For Public Education

1. MDOH will prepare technical documentation of the history of roads and road construction, and of the history of bridge building in the state, according to a format developed by MDOH in consultation with the MSHPO and in compliance with the Secretary of the Interior's Standards for Preservation Planning. From this documentation, MDOH will prepare narrative histories suitable for publication for the general public. Draft copies of the documentation and the narrative histories will be submitted to the FHWA, MSHPO and a list of qualified reviewers to be determined by FHWA, MDOH and MSHPO by December 1, 1990, and 45 days will be allowed for reviewers to comment. MDOH will prepare final documentation and histories by May 1, 1991. Final copies will be distributed to the district, area, and field offices of the MDOH, to the County Commissioners, county road and bridge departments, and county historical societies, to the owners of significant roads and bridges identified in the documentation, to the Montana Historical Society Library and the Montana State Library, and to the general public as requested.
2. MDOH will develop and make available to newspapers and publishers of historical and of engineering journals articles suitable for public information on historic roads and bridges and on their construction and significance.

3. MDOH will augment its historic sign program by developing interpretation for the traveling public at existing rest areas or pull-overs to explain Montana's road construction and bridge engineering. It will develop on-site interpretation for significant resources that can be viewed and appreciated by the public.
4. By April 15, 1990 MDOH will develop and circulate a traveling exhibit that portrays the history of the development of transportation in Montana.
5. By December 1, 1991 MDOH will develop and circulate a public program (slide/tape or video) of approximately 20 minutes, suitable for use at public or organization gatherings, classrooms, etc.

B. For Historic Road and Bridge Preservation

1. The FHWA, in co-operation with the MDOH, will prepare a plan for the preservation of significant and representative road segments and bridge types around the state as identified in the research in Part A. of this Agreement. The Historic Preservation Plan (HPP) will be presented to the FHWA, MSHPO, the ACHP and [a] list of qualified reviewers by September 1, 1991, and 45 days comment period will be allowed for discussion and adoption. FHWA will work to resolve disagreement on the proposed HPP. If agreement cannot be reached by December 1, 1991, all FHWA undertakings affecting historic roads and bridges will again become subject to 36 CFR 800 procedures.

The HPP for historic roads and bridges shall be prepared in accordance with the following guidelines:

- a. The essential purpose of the HPP will be to establish processes for integrating the preservation and use of historic roads and bridges with the mission and programs of the FHWA and the MDOH in a manner appropriate to the nature of the historic properties involved, the nature of the roads and bridges in Montana, and the nature of FHWA's mission, to provide safe, durable and economical transportation;
- b. In order to facilitate such integration, the HPP, including all maps and graphics, will be made consistent with the Federal Aid road and bridge numbering systems;
- c. The HPP will be prepared in consultation with the owners, managers, caretakers, or administrators of historic roads and bridges, including county governments, city governments, federal agencies, and private individuals or corporations, and with interested parties or organizations, including the American Society of Civil Engineers - Montana Section, and the Montana Society of Engineers;
- d. The HPP will be prepared with reference to the Secretary of Interior's Standards and Guidelines for Preservation Planning (48

FR 44716-20); and

- e. The HPP will be prepared by or under the supervision of an individual who meets, or individuals who meet, at a minimum, the "professional qualifications standards" for historian and archaeologist in the Secretary of the Interior's Professional Qualifications Standards (48 FR 44738-9).
2. The contents of the HPP will be developed in conjunction with the MSHPO, and will include, but not be limited to, a schedule for the anticipated implementation of the various elements, plus the formulation and presentation of programs to:
- a. Preserve historic bridges that do not meeting safety rating standards by rehabilitation in a manner that would preserve important historic features while meeting as many AASHTO standards as can be reasonable met;
 - b. When a historic bridge must be replaced, give full consideration and demolition savings to reuse of the historic bridge in place by another party.
 - c. When a historic bridge must be replaced and in place preservation is not feasible, give full consideration and financial assistance to relocating and rehabilitating the historic bridge as a part of the replacement project;
 - d. Develop and implement a program to encourage relocation and reuse of bridges of historic age that cannot be preserved in place or used on another location by the state or county;
 - e. Provide a financial incentive by offering demolition savings on all relocation and reuse of bridges of historic age;
 - f. Develop a list of historic roads and bridges that can be preserved. The list should include the variety available to reflect Montana highway construction history, while considering current condition and use. The list should be presented to and discussed with managing units to solicit their cooperation and/or participation in the preparation of the HPP; and
 - g. Devise a program to pursue the preservation of the state's representative and outstanding examples of road and bridge technology. A list of historic roads and bridges shall be preserved will be developed to implement this program, given currently known commitments to do so by property managers and subject to change by obtaining future commitments for other properties covered by this Agreement.
3. The HPP will not include information developed in Part A. above, narrative histories, but will be guided by and used in conjunction with Part A. above,

and will be distributed to the same parties.

4. MDOH will prepare a report annually on its implementation of the HPP, and provide this report to the FHWA, the SHPO, and the ACHP for review, comment, and consultation as needed.

C. Other Legal and Administrative Concerns

1. FHWA will continue to inventory, evaluate and seek determinations of eligibility, and fully comply with 36 CFR 800 for all undertakings with the potential to affect historic properties besides roads and bridges which are hereby excluded from such consideration.
2. The MSHPO, and the ACHP may monitor FHWA and MDOH activities to carry out this PA, by notifying FHWA in writing of their concerns and requesting such information as necessary to permit either or both MSHPO and ACHP to monitor the compliance with the terms of this Agreement. FHWA will cooperate with the SHPO, and the ACHP in carrying out their monitoring and review responsibilities.
3. FHWA will carry out the existing MOA's to preserve or record historic bridges that are now scheduled for replacement.
4. If a dispute arises regarding implementation of this PA, FHWA will consult with the objecting party to resolve the dispute. If any consulting party determines that the dispute cannot be resolved, FHWA will request further comments of the ACHP.
5. During any resolution of disagreements on the PA, and/or in the event MDOH does not carry out the terms of the PA, FHWA will carry out the procedures outlined in 36 CFR 800 for all undertakings otherwise covered by this agreement.

Execution of this PA evidences that FHWA has afforded the ACHP a reasonable opportunity to comment on FHWA's program to construct and improve Montana highways when those undertakings affect historic roads and bridges, and that FHWA has taken into account the effects of these undertakings on significant historic roads and bridges.

BY: FEDERAL HIGHWAY ADMINISTRATION

<u>[Roger K. Scott]</u>	<u>[May 11, 1989]</u>
Roger K. Scott	Date
Division Administrator	

BY: MONTANA STATE HISTORIC PRESERVATION OFFICER

<u>[Marcella Sherfy]</u>	<u>[May 11, 1989]</u>
Marcella Sherfy, MSHPO	Date

BY: ADVISORY COUNCIL ON HISTORIC PRESERVATION

[Robert D. Bush] [June 1, 1989]
Executive Director Date

CONCUR

BY: MONTANA DEPARTMENT OF HIGHWAYS

[Stephen C. Kologi] [May 11, 1989]
Stephen C. Kologi, P.E., Chief Date
Preconstruction Bureau

**Amendment To The Programmatic Agreement Regarding
Historic Roads and Bridges In Montana**

We are hereby amending the following stipulations in the Programmatic Agreement.

A. For Public Education

1. In the third sentence December 1, 1990 becomes December 1, 1992. In the fourth sentence, May 1, 1991 becomes May 1, 1993.
5. December 1, 1991 becomes December 1, 1993.

B. For Historic Road and Bridge Preservation

1. September 1, 1991 becomes September 1, 1993 and December 1, 1991 becomes December 1, 1993.

By: Federal Highway Administration

[D. C. Lewis for] Date [February 27, 1992]
Hank Honeywell
Division Administrator

By: Montana State Historic Preservation Officer

[Marcella Sherfy] Date [February 27, 1992]
Marcella Sherfy, MSHPO

By: Advisory Council on Historic Preservation

[Robert D. Bush] _____ Date [March 16, 1992] _____
Robert D. Bush, Executive Director

Concur

By: Montana Department of Transportation

[Edrie Vinson] _____ Date [February 25, 1992] _____
Edrie Vinson
Environmental & Hazardous Waste Bureau

Appendix 2. Roads Nominated for Inclusion in the Historic Preservation Plan by the MDT, Local Historical Societies and Museums.

District 1 - Missoula

1). **Montana Highway 35 between Polson and Bigfork.** This 34 mile roadway was originally constructed by Montana State Penitentiary convicts in 1914. The original alignment is largely intact and constricted by the terrain and recent development. A historical marker for this segment will be installed between Mileposts 4 and 17 (see Part VI, Section C(3)).

2). **Old U.S. Highway 10 between Interstate 90 Exit No. 22 and St. Regis.** This segment was one of the most treacherous on U. S. 10 from the early 20th century until the construction of Interstate 90 in 1984. This segment includes the locally notorious hill called the "Camel's Hump." It retains its original alignment and a bridge (24MN244) selected for inclusion in the Plan.

3). **Old Troy - Libby Highway.** This constitutes an abandoned nine mile segment of the original roadway that was constructed between 1913 and 1915. Much of it is on National Forest Service property. They have installed interpretive markers along much of its length.

District 2 - Butte

4). **Montana Highway 2 (old U.S. Highway 10).** Constructed in the 1910s and again in the 1930s, this ten mile segment in Jefferson County begins at the junction of Interstate 90 east of Whitehall and proceeds easterly along the Jefferson River to the intersection of U. S. Highway 287. The route was constructed in the 1910s or 1920s and reconstructed in 1932 and follows the route of the Lewis and Clark Expedition in 1805 and the

Yellowstone Trail. The pump island canopy at LaHood includes a map of the trail and advertisements for Lewis and Clark Caverns and several Butte businesses. The road retains its 1930s alignment and design features. Because it is partially located in the Jefferson River canyon, significant alterations of the alignment seems unlikely.

5). **Montana Secondary 394.** The 27 mile road is located in Meagher County and connects Martinsdale with U. S. Highway 89 north of Ringling.

6). **Montana Secondary 273 (Lost Creek Road).** This ten mile section of road in Deer Lodge County parallels the western side of the Opportunity tailing ponds and includes a road to Lost Creek Falls.

7). **Montana Secondary 288 (Camp Creek/Anceney Road).** This segment of road is seven miles long and was built between 1939 and 1940. It is rumored to be the last county road constructed with horse-drawn equipment.

8). **Montana Highway 84 (Bozeman to Norris).** This 38 mile segment in Gallatin and Madison counties is located on top of or parallels the Bozeman Trail. Even with planned construction, the historic alignment will be perpetuated.

District 3 - Great Falls

9). **Frontage/Recreation Road (old U.S. Highway 91).** Located in Lewis and Clark and Cascade counties, this 40 mile segment of roadway is the original alignment of U.S. Highway 91. It is partially located in the Prickly Pear (Wolf Creek) and Missouri River canyons. Built in the early 1930s, it retains its original design features, including four bridges included in the rehabilitation program. They are: the Little Muddy Creek Bridge (24CA400), Muddy Creek Slough (24CA603), Missouri River Bridge at Hardy (24CA389), Novak Creek Bridge (24CA394), Missouri River Bridge at Craig (24LC129), Missouri River Bridge near Wolf Creek (24LC131) and the Sheep Creek Bridge (24LC1157).

District 5 - Billings

10). **U. S. Highway 212 (Beartooth Highway).** This 26 mile segment in Carbon County was completed in 1936 and is one of the most spectacular highways in the United States. Although reconstructed in 1965 and 1994, the original alignment and roadway standards have largely remained intact. Only the guardrail has been changed. A historical marker is currently planned for installation at the Vista Point at Milepost 49.3 (see Part VI, Section C(3)).

11). **Meteetse Trail.** This trail is located in Carbon County. It begins south of Red Lodge and crosses the divide into the Bear Creek valley. From there it proceeds to the Belfry area then turns southerly to Wyoming. Portions of the trail are still visible in the Red Lodge area.

12). **Reno Benteen Road.** Located in Big Horn County, this road links two units of the Little Big Horn Battlefield.

13). **Fort Benton Stage/Freight Road.** This old road parallels Alkalai Creek Road in Billings Heights.

14). **Old U. S. Highway 10 from Pompeys Pillar to Billings.**

15). **Old U. S. Highway 212/Custer Battlefield Highway (Old Hardin Road).**

16). **Black Otter Trail.** Located at Billings, the road was constructed by the Works Progress Administration (WPA) in 1936.

17). **Zimmerman Trail.** Also located in Billings, the road provides a scenic (and sometimes treacherous) connection between Montana Highway 3 and Rimrock Road in Billings. The road was constructed by Joseph Zimmerman in 1890 and improved by the WPA in the 1930s.

Appendix 3. Timber Bridges Determined Eligible for the National Register of Historic Places in 1986.

<u>Bridge</u>	<u>Number</u>	<u>Smith.#</u>	<u>County</u>	<u>Built</u>
Sand Coulee Creek (S of Gt Flls)	S00226001+05191	24CA258	Cascade	1937
Hepler Coulee (W of Simms)	L07561002+00001	24CA256	Cascade	1934
Simms Creek (W of Simms)	L07561004+04001	24CA257	Cascade	1934
Cottonwood Creek	L09004003+01001	24CR643	Custer	1928A
Cottonwood Creek (S of Ismay)	S00242005+05001	24FA2321	Fallon	1934
Flat Creek (SE of Augusta)	P00009023+05901	24LC767	L & C	1931
Stock Pass	P00009032+01001	24LC770	L & C	1931*
Dry Coulee Stock Pass	P00009032+06901	24LC769	L & C	1931*
Stock Pass (SE of Augusta)	P00009031+03001	24LC768	L & C	1931*
Dry Creek (SE of Augusta)	P00009032+06901	24LC771	L & C	1931*
Cadotte Creek	P00024085+05771	24LC779	L & C	1939*
Spring Creek Run-off	P00024071+00311	24LC781	L & C	1939*
Spring Creek (W of Lincoln)	P00024070+01491	24LC782	L & C	1939*
Keep Cool Creek	P00024069+07191	24LC783	L & C	1939*
Beaver Creek (W of Lincoln)	P00024069+05001	24LC784	L & C	1939*
Wisconsin Creek	P00029037+02091	24MA714	Madison	1938
Cherry Creek	P00029053+06001	24MA795	Madison	1935
Stock Pass (W of Musselshell)	P00014182+04001	24ML245	Musselshell	1937
Dodson South Canal @Malta	P00061156+08111	24PH2666	Phillips	1938
Circle Diamond Coulee	S00242005+05001	24PH2668	Phillips	1936*
Assinniboine Creek	S00242006+00001	24PH2669	Phillips	1936
Dry Wash (N of Augusta)	P00057217+07911	24TT120	Teton	1936

Drainage	P00009059+06001	24TT121	Teton	1936
Drainage	P00003057+07501	24TT122	Teton	1929
Drainage	P00003059+01911	24TT123	Teton	1929
Jones Coulee (S of Pendroy)	P00003059+07801	24TT125	Teton	1929
Buckingham Coulee	S00311019+00001	24TE44	Treasure	1936A

* Bridge has been removed.

ABridge is included in the Rehabilitation Program

Appendix 4. Bridges Determined Eligible for the National Register of Historic Places in 1985.

<u>Bridge</u>	<u>Number</u>	<u>Smith.#</u>	<u>County</u>	<u>Built</u>
Big Hole R. (Browne's Bridge)	L01320003+01001	24BE526	Beaverhead	1916A
Big Hole River @Glen	L01083000+07001	24BE1564	Beaverhead	1892x
Big Horn River	abandoned	24BH2464	Big Horn	1911
Milk River (W. of Dodson)	L03068002+05001	24BL1209	Blaine	1916
Milk River (E. of Harlem)	L03068000+05001	24BL1204	Blaine	1914
Milk River (W. of Zurich)	L03325000+04001	24BL1203	Blaine	1910*
Clark's Fork @Fromberg	L05307000+07001	24CB1223	Carbon	1914A
Clark's Fork R. (S of Belfry) abandoned			Carbon	1925
Missouri River (10th Street Br.)	U05211000+01071	24CA308	Cascade	1920x
Milwaukee Road O'pass @Gt Flls	U05217001+05401	24CA331	Cascade	1914A
Missouri River @Ft Benton	city	24CH335	Chouteau	1888
Yellowstone R. @Ft Keogh	n/a	24CR668	Custer	1902
Tongue River @Miles City	L09054000+01001	24CR679	Custer	1897
O'Fallon Cr.	n/a	24CR632	Custer	1907*
Yellowstone R. (Bell St. Bridge)	City of Glendive	24DW290	Dawson	1926
Judith River @Moore	n/a	24FR751	Fergus	1912*
Judith River (Sample's Crossing)	abandoned	24FR752	Fergus	1899*
Flathead R. (Old Steel Br)	L15091000+05001	24FH463	Flathead	1894
Flathead River @Columbia Falls	abandoned	24FH464	Flathead	1911A
Gallatin River (Nixon Bridge)	L16216002+02001	24GA393	Gallatin	1891A
Gallatin River (Cameron Br.)	n/a	24GA829	Gallatin	1891
W. Gallatin River	L16507000+05001	24GA830	Gallatin	1892

Jefferson River	L16201000+07001	24GA831	Gallatin	1894A
St. Mary River @Babb	L18224002+08001	24GL186	Glacier	1915A
Intake Bridge	abandoned	24GL163	Glacier	1915
Baring Creek (Glacier NP)	National Park Service		Glacier	1933
Musselshell River	L19217000+03001	24GV144	Golden Valley	1900
Musselshell River @Barber	n/a	24GV145	Golden Valley	1911*
Boulder River	L22304000+03001	24JF479	Jefferson	1899
Dearborn River High Bridge	L25300009+00001	24LC130	L & C	1897A
Missouri River @Wolf Creek	L25003011+00001	24LC131	L & C	1933A
Missouri River @Craig	L25013000+03001	24LC129	L & C	1903
Little Prickly Pear Cr. @Sieben	L25005004+01001	24LC126	L & C	1901
Ten Mile Creek @Helena	L25549000+01001	24LC128	L & C	1894A
Trout Creek (York Br.)	n/a	24LC727	L & C	1906*
Little Prickly Pear Cr	L25233000+03001	24LC127	L & C	1897
Little Prickly Pear (Pacific St)	n/a		L & C	1897*
Marias River (Pugsley Br.)	L26038005+01001	24LT76	Liberty	1951A
Kootenai River @Troy	L27411000+01001	24LN64	Lincoln	1912A
Blaine Spring Creek	S00249007+05001	24MA780	Madison	1892x
Madison River (Varney Br.)	S00249007+08001	24MA779	Madison	1897x
Big Hole River	L29141015+07001	24MA413	Madison	1910*

* Bridge has been replaced or relocated

A Bridge included in the Rehabilitation Program

X Bridge has been programmed for replacement

<u>Bridge</u>	<u>Number</u>	<u>Smith.#</u>	<u>County</u>	<u>Built</u>
Jefferson River @Silver Starn/a		24MA412	Madison	1913*
Buhrer-Garrison Ditch	n/a	24MA413	Madison	1895
Clark Fk R. (Van Buren St)	City of Missoula	24MO248	Missoula	1908A
Orange Street Bridge	U08107001+05401	24MO553	Missoula	1937*
Milwaukee Rd RR Overpass	U08107001+04101	24MO554	Missoula	1936*
Musselshell River @Roundup	L33017000+04001	24ML179	Musselshell	1893/94
Musselshell River @Roundup	L33045000+04001	24ML177	Musselshell	1911*
Musselshell River @Melstone	n/a	24ML178	Musselshell	1911*
Yellowstone R. @Springdale	n/a	n/a	Park	1908*
Yellowstone R. @Pine Cr.	n/a	24PA840	Park	1910*
Yellowstone River @Carter	S00540031+06621	24PA777	Park	1921A
Milk River Ford	S00243005+09001	24PH3180	Phillips	1935*
Bitterroot River Siphon	n/a		Ravalli	1905
Bitterroot River @Victor	n/a	24RA201	Ravalli	1907*
Como Bridge	L41600000+01001	24RA523	Ravalli	1917
USRS Main Canal (N. of Burns)	L42334003+01001	24RL165	Richland	1907
USRS Main Canal (S. of Burns)	L42335000+07001	24RL163	Richland	1907
USRS Main Canal @Burns	L42332000+03001	24RL164	Richland	1908
USRS Main Canal @Jenks	n/a	24RL170	Richland	1908*
USRS Main Canal (S of Fairview)	L42240000+03001	24RL198	Richland	1908
USRS Main Canal (S of Fairview)	L42223000+01001	24RL196	Richland	1908
USRS Main Canal (S of Sidney)	L42414000+09001	24RL197	Richland	1908
USRS Main Canal @Ridgetown	L42223000+07001	24RL200	Richland	1908
Missouri River (S of Wolf Pt)	P00025046+05391	24RV438	Roosevelt	1930x

Clark Fk Main Channel	abandoned	24SA294	Sanders	1911
Clark Fk Dry Channel	abandoned	24SA293	Sanders	1911
Big Hole R (Dickey Br.)	n/a	24SB201	Silver Bow	1914
Yellowstone River @Reed Point	L48083000+07001	24ST216	Stillwater	1911
Stillwater R. (Kern's Crossing)	L48128000+04001	24ST215	Stillwater	1902
Yellowstone R. (Voge's Bridge)	L49028000+08001	24SW179	Sweet Grass	1914x
Yellowstone River (Greycliff Br.)	n/a	24SW180	Sweet Grass	1911*
Sun River Bridge	n/a	24TT199	Teton	1915
Tiber Reservoir	abandoned	24TL94	Toole	c1900
Milk River @Tampico	L53507000+03001	24VL722	Valley	1911
Yellowstone R.(Duck Cr.)	n/a	24YL783	Yellowstone	1915*
Yellowstone R. @Pompeys Pillar	S00568000+09601	24YL784	Yellowstone	1915x

* Bridge replaced or relocated.

A Bridge selected for the Rehabilitation Program

x Bridge has been programmed for replacement

Appendix 5. Bridges Chosen for Inclusion in the MDT's Historic Bridge Rehabilitation Program.

Missoula District Bridges

	<u>Bridge</u>	<u>MDT No.</u>	<u>Site No.</u>	<u>County</u>
1).	Blackfoot River	L32406002+06001	24MO371	Missoula!^
2).	Swan River @Bigfork	L15672000+02001	24FH743	Flatheadx*^
3).	Mud Creek	L24009003+08001	24LA207	Lakex*^
4).	Kootenai River @Troy	L27411000+01001	24LN64	Lincoln*x
5).	Clark Fork River/Natural Pier Br.	L31089001+04001	24MN243	Mineralx*!^
6).	Fred Burr Creek	P00019035+03141	24GN844	Granitex^
7).	Bitterroot River (Como Bridge)	L41600000+01001	24RA523	Ravalli
8).	Flathead River @Columbia Falls	closed	24FH464	Flatheadx^
9).	Tobacco River (near Eureka)	closed	24LN1587	Lincolnx^
10).	Blackfoot River Br. @Milltown	closed	24MO367	Missoula^
11).	Van Buren Street Bridge	n/a	24MO248	Missoula!^
12).	Water Creek Bridge @Darby	county	24RA521	Ravalli!^
13).	Stony Creek	L20002013+00001	24GN828	Granite^
14).	Twelvemile Creek	L31179001+09001	24MN244	Mineralx^
15).	Rattlesnake Cr./Vine Street	M32081000+00201	24MO522	Missoulax*^
16).	Rattlesnake Creek	U08110000+05751	24MO706	Missoula*
17).	Pinkham Creek	L27067000+04001	24LN196	Lincolnx^

18).	Clark Fk./Birdland Bay	L45298000+03001	24SA378	Sanders*^!
19).	Curley Creek	L27043000+03001	24LN1599	Lincoln*
20).	Parmenter Creek	L27353000+02001	24LN195	Lincolnx^

x= District nomination

*= Bridge Bureau nomination

!= County nomination

= Environmental Services nomination

Butte District Bridges

	<u>Bridge</u>	<u>MDT No.</u>	<u>Site No.</u>	<u>County</u>
1).	Yellowstone River @Carter	S00540031+06621	24PA777	Park*^
2).	Yellowstone River @Gardiner	P00011000+01651	24PA790	Park*^
3).	Ten Mile Creek @Helena	U05801000+01001	24LC128	L&C*^
4).	Ferry Creek Bridge	L34003001+07001	24PA1077	Park*^
5).	Missouri River @Toston	L04415000+01001	24BW814	B'Water^!
6).	East Gallatin River (Nixon Br.)	L16216002+02001	24GA393	Gallatin*^
7).	Clark Fork River @Garrison	L39027000+04001	23PW632	Powell^
8).	Little Blackfoot River	L39311000+01001	24PW633	Powell*^
9).	Big Hole River Bridge (Browne's)	L01320003+01001	24BE526	B'head^
10).	Railroad Overpass	L39102000+01001	24PW64	Powell^
11).	Jefferson River	L16201000+07001	24GA831	Gallatin*^
12).	Yellowstone St. Culvert/Livingston	M34074000+00101		Park
13).	Silver Bow Creek (Nissler Jct)	n/a (abandoned)	24SB581	Silver Bow^
14).	Beaverhead River Bridge	L29145002+01001	24MA1392	Madison^
15).	East Gallatin River (Hamilton Rd)	L16077001+06001	24GA1099	Gallatin*^
16).	Willow Creek	L12146001+02001	24DL680	DeerLodge*^

x= District nomination
*****= Bridge Bureau nomination
!= County nomination
^= Environmental Services nomination

Great Falls District Bridges

	<u>Bridge</u>	<u>MDT No.</u>	<u>Site No.</u>	<u>County</u>
1).	Dearborn River	L25300009+00001	24LC130	L&Cx*! [^]
2).	Missouri River (Wolf Cr.)	L25003011+00001	24LC131	L&Cx* [^]
3).	25th St N. @Great Falls	U05217001+05401	24CA393	Cascade* [^]
4).	Marias River (Pugsley)	L26038005+05001	24LT76	Liberty* [^] x
5).	St. Mary River (Babb)	L18224002+08001	24GL186	Glacier*! [^]
6).	South Fk. Milk River	P00058021+00281	24GL237	Glacier* [^] x
7).	South Fk. Cut Bank Cr.	P00058012+09171	24GL236	Glacier* [^] x
8).	Missouri River @Hardy	L07604006+04001	24CA389	Cascade* [^] x
9).	Missouri River @Great Falls	P00060094+08282	24CA401	Cascade* [^] x
10).	Shonkin Creek	abandoned	24CH960	Chouteau [^]
11).	Missouri River @Cascade	S00330036+06001	24CA402	Cascade* [^]
12).	Sheep Creek	L25003005+02001	24LC1157	L&C*
13).	Clear Creek	L03304008+02001	24BL17	Blaine*
14).	Highwood Creek	L08204000+01001	24CH961	Chouteau*
15).	Muddy Creek Slough	L07603000+09001	24CA603	Cascade*
16).	Cow Creek	L03300020+03001	24BL18	Blaine*
17).	Woody Island Coulee	L03030000+08001	24BL19	Blaine*
18).	Belt Creek	L07224017+04001	24CA602	Cascade*

x= District nomination
*****= Bridge Bureau nomination
!= County nomination
^= Environmental Services nomination

Glendive District Bridges

	<u>Bridge</u>	<u>MDT No.</u>	<u>Site No.</u>	<u>County</u>
1).	Powder River @Locate	L09307000+03001	24CR772	Custer [^]
2).	Milk River Bridge @Malta	abandoned	24PH3219	Phillips ^{^!}
3).	Tongue River Bridge	L09054000+01001	24CR679	Custer ^{*^}
4).	Sand Creek	L44219001+00001	24RB1639	R'bud ^{*^}
5).	Bad Route Creek	L11109020+03001	24DW422	Dawson ^{*^}
6).	[to be selected, 2000]			
7).	Milk River Ford	S00243005+09001	24PH3180	Phillips
8).	Locate Creek	L09305003+03001	24CR761	Custer [^]
9).	Cottonwood Creek	L09004003+01001	24CR643	Custer [^]
10).	Little Powder River	L38665004+06001	24PR1837	P. River [^]
11).	O'Fallon Creek	L40105024+08001	24PE617	Prairie [^]
12).	Yellowstone River @Fallon	L40114001+05001	24PE618	Prairie ^{x*^}
13).	Armells Creek	L44311005+07001	24RB500	Rosebud ^{*^}
14).	Beaver Creek	L53602000+07001	24VL725	Valley [*]
15).	Powder River @Mizpah	L09302000+01001	24CR774	Custer [!]
16).	Graveyard Creek	L44303014+09001	24RB1250	Rosebud ^{*^}
17).	Musselshell River	L44118003+01001	24RB1666	Rosebud ^{*^}

x= District nomination
 *= Bridge Bureau nomination
 != County nomination
 ^= Environmental Services nomination

Billings District Bridges

	<u>Bridge</u>	<u>MDT No.</u>	<u>Site No.</u>	<u>County</u>
1).	Clark Fork River @Fromberg	L05307000+07001	24CB1223	Carbon*^
2).	Big Spring Creek @Lewistown	U07104001+00801	24FR801	Fergus*^
3).	Bluewater Creek	L05302008+06001	24CB1309	Carbon*^
4).	Deerfield Bridge @Danvers	L14326002+07001	24FR820	Fergus^
5).	Musselshell River	L19217000+03001	24GV145	G. Valley*^
6).	East Rosebud Cr. @Roscoe	L05503000+01001	24CB1310	Carbon^
7).	Rock Creek Bridge @Red Lodge	M05093000+00101	24CB714	Carbon^
8).	Missouri River (F. Robinson)	P00061088+00671	24FR804	Fergus^
9).	Red Lodge Creek	L05002013+06001	24CB1308	Carbon^
10).	Dry Wolf Creek	L23101010+01001	24JT251	J. Basin*^
11).	Clark's Fork River @Belfry	P00072011+09041	24CB707	Carbon^
12).	Buckingham Coulee	S00311019+00001	24TE44	Treasure^
13).	Elbow Creek	L05121000+09001	24CB1319	Carbon*
14).	Wills Ditch (SW of Belfry)	L05129000+04001	24CB1307	Carbon*^
15).	Musselshell River	L33001027+08001	24ML741	M'Shell*
16).	Beaver Creek	L14339001+00001	24FR821	Fergus*

x= District nomination
*= Bridge Bureau nomination
!= County nomination
^= Environmental Services nomination

Appendix 6. THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

The following Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

- 1). A property shall be used for its historic purpose or placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- 2). The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- 3). Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- 4). Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

- 5). Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- 6). Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical and pictorial evidence.
- 7). Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be taken using the gentlest means possible.
- 8). Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- 9). New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- 10). New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Appendix 7. Criteria for Selection of New Owner: Adopt-A-Bridge Program

The intent of the Adopt-A-Bridge program is to maintain the historic integrity of the existing bridge to the greatest extent possible. Greater consideration will be given to leaving the structure in place and for providing the highest use for the largest population possible.

The selection criteria noted below (in descending order of preference) will be used as a guide in the event two or more entities express an interest in the bridge.

- I. Leave in place
 - a. Adoption by government agency
 - b. Adoption by an established civic group
 - c. Adoption by a non-incorporated group.
 - d. Adoption by an individual
- II. Move to a New Location
 - a. Adoption by a government agency
 - b. Adoption by an established civic group

- c. Adoption by a non-incorporated group
- d. Adoption by an individual

If there is no obvious choice for a new owner by using these guides, the new owner will be selected by lot.

The new owner will be required to sign an agreement holding the State, county and/or city harmless for any structural problems or lead paint associated with the bridge. This agreement will contain the conditions by which the new owner will agree to be a "responsible party" and agree to maintain the historic integrity of the structure.

Under criteria I (b, c or d), the new owners will be required to provide a bond in an amount to be determined by the State to cover the cost of future demolition of the structure. The bond will be used in the event the new owner defaults on his/her commitment for care and maintenance of the bridge.

Applicants will be required to submit the following information in writing:

- 1) New owner of the structure
- 2) What will be the intended use of the bridge?
- 3) Who will use the bridge?
- 4) Where will the bridge be located?
- 5) If moved to a new site, how will this be accomplished?

The new owner will receive the "estimated cost" of removal to relocate/rehab the bridge unless the project goes to bid in which case the "bid amount" for the low bidder will be used.

This policy will also be used for bridges that are selected for adoption but are not on or eligible for listing on the National Register of Historic Places. In those cases the agreement may or may not require maintaining the historic integrity of the structure. The amount available to relocate/rehab the structure will be 80% of the estimated (or bid) amount to remove the structure.

Appendix 8. National Register of Historic Places Criteria for Eligibility.

"A property is eligible for inclusion in the National Register of Historic Places if it meets the criteria which are specified in Department of Interior regulations at 36 CFR ' 60.4. The criteria for evaluating a property's eligibility for listing in the National Register are as follows:

National Register criteria for evaluation. The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and

- (a) that are associated with events that have made a significant contribution to the broad patterns of our history; or
- (b) that are associated with the lives of persons significant in our past; or
- (c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic

values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

(d) that have yielded, or may be likely to yield, information important in prehistory or history."

Appendix 9. Sample Agreement for the Adopt-A-Bridge Program.

AGREEMENT

WHEREAS, _____ County and the State of Montana, through the Montana Department of Transportation (collectively hereinafter referred to as "Owners"), are in the process of proposing a new bridge at or near the location of the current _____ Bridge, (hereinafter "Bridge") over the _____ River; and

WHEREAS, Owners are considering the possibility that the current bridge will be either abandoned or dismantled as a result of the building of a new bridge; and

WHEREAS, 23 U.S.C. ' 144(o)(4), states in part, "Any State which proposes to demolish a historic bridge for a replacement project with funds made available to carry out this section shall first make the bridge available for donation to a State, locality, or

responsible private entity if such State, locality, or responsible entity enters into an agreement to-

(A) maintain the bridge and the features that give it its historic significance; and

(B) assume all future legal and financial responsibility for the bridge, which may include an agreement to hold the State highway agency harmless in any liability action."

WHEREAS, in consideration of the estimated cost of demolition of the Bridge, the

_____ has agreed to hold Owners harmless in any liability action, and to assume all future liability associated with the Bridge regardless of whether it is to remain in place or to be removed. Therefore, the parties agree as follows:

This agreement is entered into this ____ day of _____. 19__, between Owners and _____.

The purpose of this agreement is to provide for indemnification and hold harmless provisions Owner will transfer ownership of the bridge and the expected cost of demolition to _____. The expected cost of demolition is \$_____.

This amount is to be used solely for restoration in place, or movement, placement and restoration in new location, of the Bridge. Further, _____ agree to accept ownership of the Bridge and maintain the Bridge and the features that give it its historic significance.

_____, its directors, supervisors, agents and employees, covenants not to sue and agrees to indemnify the Owners, its agents and employees, and save each of them harmless from itself and any third parties for personal injuries, property damage, loss of life or property, civil penalties, or criminal fines resulting from or in any way connected with ownership and activities on the Bridge or the Owners' actions or non-actions taken after the signing of this agreement.

Further, _____ agrees to protect, defend, and save the Owners harmless from and against all claims, demands, and causes of action of any kind or character, including defense costs, arising in favor of the _____'s employees or third parties, on account of bodily or personal injuries, death, or damage to property arising out of services performed or omissions of the

_____ and/or its employees, subcontractors, or representatives and the state under this agreement.

Further, _____, its directors supervisors, agents and employees,

covenant not to sue and indemnifies the Owners, their agents and employees from any and all third party claims and liability arising or related to all common law claims, civil and criminal statutory and regulatory claims, including, but not limited to, any and all claims arising from or in any way related to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. ' 6901, et seq., the Clean Water Act, as amended, 33 U.S.C. ' 1251, et seq., the Clean Air Act, as amended, 42 U.S.C. ' 741 et seq., the Solid Waste Disposal Act, as amended, 42 U.S.C. ' 6901, et seq., including civil and criminal penalties assessed by any federal, state, regional or local government entity or court for actions or non-actions by Owners, or _____, in any manner relating to or arising from ownership or activities upon this Bridge.

_____ further agrees that any funds that they receive pursuant to this agreement will be used for either the restoration of the Bridge or its proper removal to another location. In either event, the Bridge must maintain its historic character.

_____ must provide and maintain, at its cost and expense, insurance against claims for injuries to persons or damages to property including contractual liability which may arise from or in connection with the performance of work performed by the _____, its agents, representatives, officers, assigns or employees.

_____ in completing its obligations under this agreement shall at all times observe and comply with all existing laws, ordinances, and regulations, and other agencies of government and save them harmless from all claims and liabilities due to negligent acts of its subcontractors, agents or employees during the performance of the work called for under this agreement.

This agreement contains the entire agreement between the parties and no statements, promises, or inducements made by either party which are not contained in this written agreement shall be binding or valid.

DATED this _____ day of _____, 199__.

MONTANA DEPARTMENT OF TRANSPORTATION

By _____

_____ COUNTY OF _____

By _____ By _____

Appendix 10. Historical Markers Selected for Installation Along Roadways by June, 1997

District 1 - Missoula

1). Montana Highway 35 in Lake County. This marker will describe the road-building activities of convicts from the state prison. State prison inmates constructed roads in several Montana counties in the 1910s. This 34 mile segment between Bigfork and Polson is the best preserved. The marker will be located somewhere between Milepost 4 and 17.

2). U. S. Highway 2 in Flathead County. This marker will be installed at the existing rest area on Marias Pass at Milepost 198. The marker will talk about the original discovery of the pass in the 1850s by Isaac Stevens and its rediscovery by Great Northern Railway surveyors in the early 1890s. The pass was also used by Native Americans.

District 2 - Butte

3). The Mann Gulch Fire. A marker commemorating the 1949 Mann Gulch Fire was

requested by the Governor's Office in late 1994. Although not specifically associated with transportation history, the marker will be included in this program.

4). The Montana Road. This marker will be located at the Red Rock Rest Area (Exit 29) on Interstate 15 in Beaverhead County. It will describe the history and significance of the Montana Road to the early development of the state. Also called the Corinne Road, a nearly intact segment of the facility is located near the rest area. The Lewis and Clark Expedition also passed through here in 1805.

5). Montana Highway 2/Old U.S. Highway 10. This ten mile segment of roadway passes through the Jefferson River Canyon in Jefferson County. The road is situated on an ancient travel corridor that was first described by the Lewis and Clark Expedition in July, 1805. The road segment represents a nearly intact section of old highway that was constructed to 1930s standards. It also includes the historically significant hotel and CCC camp at LaHood and the turn-out for Lewis & Clark Caverns.

District 4 - Glendive

6). U. S. Highway 2 in Valley County. This marker will be located at Milepost 535 at a rest area west of Glasgow. It will describe the evolution of U. S. Highway 2 from its earliest inception to the end of World War II.

District 5 - Billings

7). Montana Secondary 308 (Bearcreek). Located in Carbon County about six miles east of Red Lodge, this marker will describe the Bearcreek Coal Mining District and the transportation that served it. The marker will be located at Station 290+50".

8). Beartooth Highway. This marker will be located at the Vista Point at Milepost 49.3. It will describe the history and significance of the Beartooth Highway.

9). Red Lodge. This marker will be located at an existing turnout on Montana Secondary 308 about one mile east of Red Lodge. It will describe the impact of the Meteteetse trail, Northern Pacific Railroad and Beartooth Highway on this small coal mining community.

10). Interstate 94. This marker, located at Hysham Rest Area (Exit 65") will describe some aspect of transportation in the Yellowstone Valley.

**Appendix 11. Programmatic Agreement Implementing the Roads and Bridges
Preservation Plan**

**PROGRAMMATIC AGREEMENT
AMONG
THE FEDERAL HIGHWAY ADMINISTRATION
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
AND
THE MONTANA STATE HISTORIC PRESERVATION OFFICE
AFFECTING HISTORIC ROADS AND BRIDGES
IN MONTANA**

WHEREAS, the Federal Highway Administration, Montana Division (FHWA), proposes to make Federal funding available to the Montana Department of Transportation (MDT) for that agency's ongoing program to construct or rehabilitate highways and bridges, and

WHEREAS, the FHWA has determined that this federally-assisted program may have an

effect upon a certain class of properties included in or eligible for inclusion on the National Register of Historic Places and has consulted with the Advisory Council on Historic Preservation (Council) and the Montana State Historic Preservation Office (SHPO) pursuant to Section 800.13 of the regulations (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act (16 U.S.C.470f); and

WHEREAS, the FHWA and the MDT have developed a Historic Preservation Plan regarding roads and bridges and that document has been subject to review under 36 CFR 800.13 and has been agreed to by FHWA, SHPO and the Council; and

WHEREAS, the MDT participated in the consultation and has been invited to concur in this Programmatic Agreement;

NOW THEREFORE, the FHWA, the Council, and the Montana SHPO agree that the program addressed in this Programmatic Agreement shall be administered in accordance with the following stipulations to satisfy the FHWA's Section 106 responsibility for all individual undertakings of the program.

Stipulations

The FHWA will ensure that the following measures are carried out:

- 1) The FHWA and MDT will implement the Roads and Bridges HPP in lieu of compliance with 36 CFR ' ' 800.4 through 800.6.
- 2) This Programmatic Agreement will remain in force for as long as the roads and bridges HPP is in force or unless Stipulation 9 of this Agreement is invoked.
- 3) FHWA will carry out the existing MOA's to preserve or record historic bridges that are now scheduled for replacement.
- 4) The MDT will prepare a report annually on its implementation of the HPP, and provide this report to the FHWA, Montana SHPO and the Council for review, comment and consultation as needed.
- 5) The Council and the SHPO may monitor activities carried out pursuant to this Programmatic Agreement, and the Council will review such activities if so requested by a signatory to this Agreement or by a member of the public. FHWA will cooperate with the Council and the SHPO in carrying out their monitoring and review responsibilities as stipulated in 36 CFR 800.13
- 6) Any party to this Programmatic Agreement may request that it be amended, whereupon the parties consult in accordance with 36 CFR 800.13 to consider such an amendment.
- 7) Any party to this Programmatic Agreement may terminate it by providing, in writing, forty-five (45) days notice to the other parties, provided that the parties will consult during the period prior to termination to seek arrangement on amendments or other actions that would avoid termination. In the event of termination, FHWA will comply with 36 CFR Part 800.4 through 800.6 with regard to individual undertakings covered by this Programmatic Agreement.

- 8) Should the Montana SHPO object within sixty (60) days to any stipulation pursuant to this Historic Preservation Plan, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall forward all documentation relevant to the dispute to the Council. Within thirty (30) days after receipt of all pertinent documentation, the Council will either:
1. provide the FHWA and Montana SHPO with recommendations, which the FHWA and Montana SHPO will take into account in reaching a final decision regarding the dispute; or
 2. notify the FHWA and Montana SHPO that it will comment pursuant to 36 CFR ' 800.6(b), and proceed to comment. Any Council comment provided in response to such a request will be taken into account by the FHWA and Montana SHPO in accordance with 36 CFR ' 800.6(c)(2) with reference only to the subject of the dispute; the FHWA and MDT's responsibility to carry out all actions under this Historic Preservation Plan that are not the subjects of the dispute will remained unchanged.
- 9) In the event that the FHWA does not carry out the terms of this Programmatic Agreement, the FHWA will comply with 36 CFR Sections 800.4 through 800.6 with regard to individual undertakings covered by this Programmatic Agreement.

Execution and implementation of this Programmatic Agreement evidences that the FHWA has satisfied its Section 106 responsibilities for all individual undertakings of the program.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____ Date: _____

MONTANA DIVISION, FEDERAL HIGHWAY ADMINISTRATION

By: _____ Date: _____

MONTANA STATE HISTORIC PRESERVATION OFFICER

By: _____ Date: _____

CONCUR

MONTANA DEPARTMENT OF TRANSPORTATION

By: _____

Date:

**AMENDMENT
TO
PROGRAMMATIC AGREEMENT
AMONG
THE FEDERAL HIGHWAY ADMINISTRATION
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
AND
THE MONTANA STATE HISTORIC PRESERVATION OFFICE
AFFECTING HISTORIC ROADS AND BRIDGES
IN MONTANA**

WHEREAS, the Federal Highway Administration, Montana Division (FHWA), proposes to make Federal funding available to the Montana Department of Transportation (MDT) for that agency's

on-going program to construct or rehabilitate highways and bridges, and

WHEREAS, the FHWA has determined that this federally-assisted program may have an effect upon a certain class of properties included in or eligible for inclusion on the National Register of Historic Places and has consulted with the Advisory Council on Historic Preservation (Council) and the Montana State Historic Preservation Office (SHPO) pursuant to Section 800.13 of the regulations (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and

WHEREAS, the FHWA and the MDT developed a Historic Preservation Plan regarding roads and bridges and that document was reviewed and accepted by FHWA, SHPO and the Council, and

WHEREAS, that document did not include historic roads constructed before the creation of the Montana State Highway Commission in 1913, requiring the necessity of including those properties under a Programmatic Agreement as specified in Part VI, Section A(5)(1)(a) of the MDT's Roads and Bridges Historic Preservation Plan (See Attachment 2), and

WHEREAS, that the existing Programmatic Agreement/Historic Preservation Plan is supplemented by this amendment and its underlying provisions remain in effect to the extent that they have not been completed, and

WHEREAS, the MDT participated in the consultation and has been invited to concur in this Programmatic Agreement;

NOW THEREFORE, the FHWA, the Council and the Montana SHPO agree that the program addressed in this Programmatic Agreement shall be administered in accordance with the following stipulations to satisfy the FHWA's Section 106 responsibility for all individual undertakings of the program.

Stipulations

The FHWA will ensure that the following measures are carried out:

- 1) The FHWA and MDT will implement this amendment to the Historic Roads and Bridges Programmatic Agreement in lieu of compliance with 36 CFR §§ 800.4 through 800.6.
- 2) The MDT will acquire a 2± mile (10,560± linear foot) segment of the Mullan Road (24MN133) in Mineral County, Montana. The trail will be preserved and developed as a historic recreational/interpretive trail. The MDT will provide funding toward the development and interpretation of the trail and obtain a conservation easement on the property to assure its future preservation. The interpretive plan for the trail will be developed in cooperation with the Montana SHPO, the Montana Department of Fish,

Wildlife & Parks and the Salish-Kootenai Tribal Preservation Office. The Mullan Road segment will be acquired by the MDT by June 30, 1999.

- 3) The MDT will provide \$13,000 to the Montana Historical Society for partial funding of a conference regarding the historically significant Bozeman Trail. The conference will encourage research into the development and use of pre-1913 roads and trails, their preservation and development and interpretation for the public benefit. Other funding for the conference will be secured from the Montana Committee for the Humanities, Wyoming Humanities Council, Bozeman Trail Association, Frontier Heritage Alliance and other private organizations. The conference will be held July 28 – 31, 1999 (See Stipulation 2 above).
- 4) The MDT's financial contribution to the conference will function, along with other stipulations of the existing Plan, as mitigation for individual undertakings where segments of historic pre-1913 roads and trails may be affected by MDT road and bridge reconstruction projects.
- 5) A list of MDT projects that have the potential to affect segments of historic pre-1913 roads and trails is attached (See Attachment 1).
- 6) The MDT will provide funding for the installation of ten historic markers on pre-1913 historic roads and trails that are adjacent to Montana's primary and secondary highway system. The marker locations will be determined by MDT and SHPO.
- 7) The MDT will continue to record and assign Smithsonian trinomial site numbers to segments of historic 19th century roads and trails located within the MDT's five administrative districts. Where particular roads and trails segments involve features or historic significance on a statewide or national level, the MDT will consult with SHPO to develop a plan to avoid and/or incorporate the property into the MDT's undertaking as specified in Part VI, Section 4 of the existing Roads and Bridges Historic Preservation Plan (See Attachment 2).
- 8) The Council and the SHPO may monitor activities carried out pursuant to this Programmatic Agreement, and the Council will review such activities if so requested by a signatory to this Agreement or by a member of the public. FHWA will cooperate with the Council and the SHPO in carrying out their monitoring and review responsibilities as stipulated in 36 CFR 800.13
- 9) Any party to this Programmatic Agreement may request that it be amended, whereupon the parties consult in accordance with 36 CFR 800.13 to consider such an amendment.
- 10) Should the Montana SHPO object within sixty (60) days to any stipulation pursuant to this Programmatic Agreement, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that the

objection cannot be resolved, the FHWA shall forward all documentation relevant to the dispute to the Council. Within thirty (30) days after receipt of all pertinent documentation, the Council will either:

1. Provide the FHWA with recommendations which it will take into account in reaching a final decision regarding the dispute; or
 2. Notify the FHWA that it will comment pursuant to 36 CFR 800.6(b), and proceed to comment. Any Council comment provided in response to such a request will be taken into account by the FHWA in accordance with 36 CFR ' 800.6(c)(2) with reference only to the subject of the dispute; the FHWA's responsibility to carry out all actions under this Programmatic Agreement that are not subjects of the dispute will remain unchanged.
- 11) In the event that the FHWA does not carry out the terms of this Programmatic Agreement, the FHWA will comply with 36 CFR Sections 800.4 through 800.6 with regard to individual undertakings covered by this Programmatic Agreement.

Execution and implementation of this Programmatic Agreement evidences that the FHWA has satisfied its Section 106 responsibilities for all individual undertakings of the program.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____ Date: _____

MONTANA DIVISION, FEDERAL HIGHWAY ADMINISTRATION

By: _____ Date: _____

MONTANA STATE HISTORIC PRESERVATION OFFICER

By: _____ Date: _____

CONCUR

MONTANA DEPARTMENT OF TRANSPORTATION

By: _____ Date: _____

